

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

TERRAFORM LABS, PTE. LTD. and DO  
HYEONG KWON,

Defendants.

Civil Action No. 1:23-cv-01346-JSR

Hon. Jed S. Rakoff

**DECLARATION OF DOUGLAS W. HENKIN IN SUPPORT OF DEFENDANTS' REPLY IN  
SUPPORT OF DEFENDANTS' MOTION TO DISMISS THE AMENDED COMPLAINT**

Douglas W. Henkin declares, pursuant to 28 U.S.C. § 1746, as follows:

1. I am an attorney duly admitted to practice law before this Court and a partner with the law firm of Dentons U.S. LLP, counsel for Defendants Terraform Labs Pte. Ltd ("TFL") and Do Kwon in the above-captioned action. I make this Declaration in support of the Reply in Support of the Motion to Dismiss filed by TFL and Mr. Kwon. This declaration is based on my personal knowledge except as otherwise indicated.

2. Attached hereto are true and correct copies of the following documents:

Exhibit HHH: Brief of Amicus Curiae from the Chamber of Commerce of the United States, *In re: Coinbase, Inc.*, No. 23-1779 (3rd Cir. May 9, 2023).

Exhibit III: Securities Clarity Act, H.R. \_\_\_\_\_, 118th Cong. (2023).

Exhibit JJJ: Representative Patrick Henry, *Letter to Representatives Kay Granger and Rosa DeLauro*, May 9, 2023.

Exhibit KKK: Representative Patrick Henry and Bill Huizenga, *Letter to the SEC Chair*, May 9, 2023.

Exhibit LLL: Email from Devon Staren (SEC) to David Kornblau, etc. (Dentons) dated May 3, 2023.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on May 19, 2023 in New York, New York.

/s/ Douglas W. Henkin

Douglas W. Henkin

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